

### **REMARKS**

Claims 17, 18, 20-22, 24-26, and 28-31 were pending in the above-identified application and were rejected. With this Amendment, claims 17, 18, 20, 21, 22, 24, 25, 26 and 28 are amended. Accordingly, claims 17, 18, 20-22, 24-26, and 28-31 remain at issue.

#### **I. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 17, 18, 20-22, 24-26, and 28-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox et al.* (U.S. Patent No. 6,560,581) in view of *Hoffman et al.* (U.S. Patent No. 5,613,012). Applicant respectfully traverses this rejection.

Claims 17, 21, and 25 are directed to a method and system for accounting for a fee concerning service provided to a user. The method includes the steps of receiving from the service provider a charge collection request based on a service request sent from the user to the service provider, informing the user of a charge collection based on the charge collection request received from the service provider, and when an objection to the fee is received from the user, verifying validity of the charge collection based on said service request data and digital signature data. The claims further recite that the service request data and the digital signature data for verifying validity of the charge collection are provided via a removable storage device, constituted by hardware, connectable to a user terminal.

In the Office Action of January 11, 2008, the Examiner acknowledged that the neither *Fox et al.* nor *Hoffman*, alone or in combination, teach that “the service request data and the digital signature data for verifying validity of the charge collection are provided via a removable storage device, constituted by hardware, connectable to a user terminal,” as recited by claims 17, 21, and 25. However, the Examiner stated, without providing any support, that this characteristic

is not patentable and is merely an obvious choice of the user. Applicant respectfully submits that the Examiner has not supported his statements with any objective support, as required by MPEP § 2143, and seems to be improperly using hindsight to assert that the invention would be obvious when the combination is not disclosed or suggested in the prior art of reference.

As previously described, this feature that “the service request data and the digital signature data for verifying validity of the charge collection are provided via a removable storage device, constituted by hardware, connectable to a user terminal” is significant because, in the claimed invention, the removable storage device, constituted by hardware, has many advantages over software-based storage mediums, in that it is easy to read the secure information on it, yet impossible to modify using software techniques. In addition, the use of a removable storage device allows the accounting terminal to receive the original device in order to verify the validity of the charge collection. This is particularly significant when disputing a fee, as the claims contemplate. Thus, the use of a removable storage device within the context of the claimed method and systems is not merely an “obvious choice to the user.”

The portions of *Fox et al.* repeatedly cited by the Examiner do disclose or suggest that a removable storage device, constituted by hardware, connectable to a user terminal is provided to verify the service request data, as recited in claims 17, 21, and 25. Rather, *Fox et al.* only arguably discloses that use of an electronic packet with credential information is sent over an electronic communication system. As explained above, what is described by *Fox et al.* -- sending a packet over a communication system -- is entirely different from the claimed invention, which recites the use of a removable storage device, constituted by hardware, connectable to the user terminal.

Since neither *Fox et al.* nor *Hoffman et al.*, alone or in combination, disclose or suggest this limitation, it would not be obvious to derive claims 17, 21, and 25 from *Fox et al.* in view of *Hoffman et al.* Claims 18, 20, and 29 depend from claim 17, claims 22, 24, and 30 depend from claim 21, and claims 26, 28, and 31 depend from claim 25. Accordingly, Applicant respectfully requests withdrawal of this rejection.

## **II. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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